

By: Bernal

H.B. No. 213

A BILL TO BE ENTITLED

AN ACT

relating to limiting the locations where a person may carry a firearm other than a handgun; creating a criminal offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 46.02, Penal Code, is amended by amending Subsection (a) and adding Subsection (a-5) to read as follows:

(a) A person commits an offense if the person:

(1) intentionally, knowingly, or recklessly carries on or about his or her person a firearm [~~handgun~~]; and

(2) is not:

(A) on the person's own premises or premises under the person's control; or

(B) inside of or directly en route to a motor vehicle or watercraft that is owned by the person or under the person's control.

(a-5) It is a defense to prosecution under Subsection (a) that:

(1) the actor was carrying a firearm other than a handgun;

(2) the actor was on a premises owned by another or was inside of or directly en route to a motor vehicle or watercraft that is owned by another;

(3) the owner of the premises, motor vehicle, or

1 watercraft gave the actor verbal or written authorization to carry
2 the firearm on the premises or in the motor vehicle or watercraft,
3 as applicable;

4 (4) carrying or possessing a firearm other than a
5 handgun on those premises or in the motor vehicle or watercraft is
6 not otherwise prohibited under this chapter or other law; and

7 (5) the premises, vehicle, or watercraft is not open
8 to or accessible by the public.

9 SECTION 2. The changes in law made by this Act apply only to
10 an offense committed on or after the effective date of this Act. An
11 offense committed before the effective date of this Act is governed
12 by the law in effect on the date the offense was committed, and the
13 former law is continued in effect for that purpose. For purposes of
14 this section, an offense was committed before the effective date of
15 this Act if any element of the offense occurred before that date.

16 SECTION 3. This Act takes effect September 1, 2021.